

ANNUAL REPORT  
OF THE  
COMMISSION ON EDUCATION



Indiana Legislative Services Agency  
200 W. Washington Street, Suite 301  
Indianapolis, Indiana 46204

November, 2013

# INDIANA LEGISLATIVE COUNCIL

## 2013

Senator David Long

Chairperson

Fort Wayne

Speaker Brian Bosma

Vice-Chairperson

Indianapolis

Senator Timothy Lanane

Anderson

Representative Scott Pelath

Michigan City

Senator Brandt Hershman

Buck Creek

Representative Kathy Richardson

Noblesville

Senator Patricia Miller

Indianapolis

Representative William Friend

Macy

Senator Brent Steele

Bedford

Representative Eric Turner

Cicero

Senator James Merritt

Indianapolis

Representative Matt Lehman

Berne

Senator James Arnold

LaPorte

Representative Vanessa Summers

Indianapolis

Senator Jean Breaux

Indianapolis

Representative Linda Lawson

Hammond

George T. Angelone  
Executive Director  
Legislative Services Agency

# COMMISSION ON EDUCATION

## Membership Roster

### Representatives

Robert Behning, Co-Chairperson  
Indianapolis

Rhonda Rhoads  
Corydon

Lloyd Arnold  
Leavenworth

Woody Burton  
Whiteland

Edward Clere  
New Albany

Dale Devon  
Granger

Todd Huston  
Fishers

James Lucas  
Seymour

Jeffrey Thompson  
Lizton

Vernon Smith  
Gary

Kreg Battles  
Vincennes

Sue Errington  
Muncie

Shelli VanDenburgh  
Crown Point

### Senators

Dennis Kruse, Co-Chairperson  
Auburn

Carlin Yoder  
Indianapolis

James Banks  
Columbia City

James Buck  
Kokomo

Luke Kenley  
Noblesville

Jean Leising  
Oldenburg

Pete Miller  
Avon

Scott Schneider  
Indianapolis

Earline Rogers  
Gary

John Broden  
South Bend

Frank Mrvan  
Hammond

Greg Taylor  
Indianapolis

### Staff

Irma Reinumagi  
Attorney for the Committee

Allen Morford  
Attorney for the Committee

Chuck Mayfield  
Fiscal Analyst for the Committee

David Lusan  
Fiscal Analyst for the Committee

(**Note:** Pursuant to IC 2-5-38.1-5, the Commission on Education (Commission) may not recommend a final report unless a majority of members appointed to serve on the Commission approves the report. The Commission consists of 25 members and 13 affirmative votes were necessary for passage. The vote for the final report was 11 in favor and 4 opposed. As such, a final report was not adopted as required under IC 2-5-38.1-5 by a majority of the members appointed to the Commission. This informational report may not be construed as an official recommendation of the Commission.)

## **I. STATUTORY AND LEGISLATIVE COUNCIL DIRECTIVES**

The Indiana General Assembly enacted legislation directing the Commission to do the following:

- A. Study topics assigned by HEA 1003-2013, SECTION 19 (nonpublic school scholarships).
- B. Study topics assigned to the Commission by SEA 338-2013, SECTION 1 (absenteeism; school improvement plans; addition of school attendance requirements to TANF eligibility standards).
- C. Study topics assigned to the Commission by SEA 409-2013, SECTION 1 (teacher preparation programs).
- D. Study topics assigned to the Commission by SEA 189-2013, SECTION 1. (length of school year; expansion of performance qualified school program).
- E. Study topics assigned to an interim study committee called the Coaching Education Issues Study Committee (SEA 372-2013, SECTION 1), transferred to the Commission:
  - (i) The feasibility of requiring all athletic activities, in addition to football, to meet coaching education standards concerning athlete concussions.
  - (ii) Issues relating to the sudden cardiac arrest of student athletes. (SEA 372-2013, SECTION 1).

The Legislative Council assigned the following additional responsibility to the Commission:

Administration of ISTEP testing. The Commission was directed to conduct its first meeting in June 2013, as soon as practicable after the results of the latest ISTEP test are released, and devote the meeting primarily to a study of this study topic.

The Commission, created under IC 2-5-38.1, is comprised of the members of the House Committee on Education and the Senate Education and Career Development Committee.

## **II. SUMMARY OF WORK PROGRAM**

The Commission met six times during the 2013 interim.

At the first meeting, held on June 21, 2013, the Commission conducted a preliminary examination of the problems in the administration of the ISTEP assessment during April and May.

At the second meeting, held on July 29, 2013, the Commission received information concerning the analysis of the effect on scores and student performance of the interruptions in the administration of the ISTEP assessments during April and May.

At the third meeting, held on August 16, 2013, the Commission heard testimony concerning chronic absenteeism and truancy, and methods school corporations have taken to address truancy.

At the fourth meeting, held on August 28, 2013, the Commission received testimony concerning flexibility for school corporations that perform at high levels of accountability.

At the fifth meeting, held on September 13, 2013, the Commission received information concerning education for football coaches concerning concussions and for sudden cardiac arrest awareness for schools, and heard testimony concerning teacher preparation programs.

At the sixth meeting, held on October 8, 2013, the Commission received information concerning nonpublic school scholarships and voted on its final report. (See the note on page 1 of this document concerning that vote.)

### **III. SUMMARY OF TESTIMONY**

#### **ISTEP Administration**

At the June 21, 2013, meeting, the Commission heard testimony concerning the problems that occurred during the spring administration of the ISTEP examination, where technical issues with the computer administration of the examination, conducted by CTB/McGraw Hill (CTB), caused interruptions of varying lengths of time for student taking the examination. The interruptions could impact student scores, school corporation evaluations, and teacher evaluations if the validity of the examination cannot be verified. The Commission received a letter from State Superintendent of Public Instruction Glenda Ritz, presented by John Barnes, concerning the problems, and stating that the Indiana Department of Education (DoE) has contracted with the founder of the National Center for the Improvement of Educational Assessment (NCIEA), Dr. Richard Hill, to conduct a validity study of the assessment. In addition, Mr. Barnes informed the Commission that CTB is in the third year of a four-year contract, that smaller interruptions have occurred in previous tests, and that DoE will be seeking damages from CTB, as is allowed under the contract.

Representatives of CTB, including Ellen Haley, President, Stephen Laster, Chief Digital Officer, and Richard Patz, Vice President of Engineering, Research and Development, apologized for the interruptions in the assessments, and explained that the interruptions were caused by insufficient capacity in memory on the CTB servers. While the servers had been tested before the

administration of the examination, CTB's test scripts were inadequate to anticipate the demand of the testing platform. After the testing, actual demand patterns were adjusted, and memory capacity has been increased. CTB will be conducting its own validity study of the assessments.

Several school corporation superintendents, including Wendy Robinson, Fort Wayne Community Schools, Russ Hodges, Fayette County School Corporation, and Chris Himself, Northwest Allen County Schools, spoke concerning the effect of the interruptions and the use of ISTEP assessments in the evaluation of school corporations, teachers, and schools.

At the July 29, 2013, meeting, the Commission was informed that CTB had no new information to report at that time, as their validity study of the assessments was not yet completed. Superintendent Ritz presented a timeline of the ISTEP interruptions and the response to the interruptions by DoE. Dr. Richard Hill, NCIEA, presented an overview of the validity study he conducted on the interrupted ISTEP assessments. While over 90% of schools in Indiana had at least one student interrupted, the net impact of the interruptions on student scores was negligible; however, individual student scores may have been adversely affected. Further studies are being conducted to see whether the students who have been adversely affected can be identified. On the whole, school personnel and students coped successfully with the interruptions, which minimized the impact of the interruption. Superintendent Ritz lauded the response of educators and school technology personnel, and stated that all student data will be reported for students completing the test; however, if invalid scores are identified, the invalid scores will not count against a school for accountability participation, and local school corporations have been given the flexibility to minimize the effect of testing on teacher evaluations this year.

### **Absenteeism**

At the August 16, 2013, meeting, the Commission received information from Adrienne Shields, Family and Social Services Administration, concerning Temporary Assistance for Needy Families (TANF) and how truancy is handled in families receiving TANF benefits. Truancy is defined as three unexcused absences during a grading period; truancy results in a monetary sanction of benefits being withheld.

Several school corporation superintendents, administrators, and juvenile program administrators discussed various programs used in their counties to combat absenteeism and truancy. Among the programs are:

- truancy mediation programs established by a voluntary agreement between school corporations and courts having juvenile jurisdiction;
- school corporations using their own resources, including counselors, social workers, principals, and teachers working with parents;
- juvenile justice initiatives, including monitoring by juvenile probation officers;
- court supervised attendance programs in a central location; and
- alternative school programs.

Individuals discussing the programs included Scott Hanbeck, Superintendent, Tippecanoe County School Corporation; Rebecca Humphreys, Tippecanoe County juvenile alternatives program; Dena Cushenberry, Superintendent, MSD Warren Township; James Taylor, Assistant Principal, MSD Warren Township; Ray Azar, Director of Student Services, Vigo County Schools; Deborah Kessler, Juvenile Probation Officer, Vigo County; Kathleen Steele, Superintendent, Crawfordsville School Corporation; and Robert Taylor, Superintendent, Lebanon Community School Corporation.

In addition, DoE provided information about the memorandum DoE provides to school corporations concerning absenteeism, and Cathy Danyluk, DoE, stated that they are looking into methods of assisting court/community partnerships for reducing absenteeism. Terry Spradlin, Center for Evaluation and Education Policy, Indiana University (CEEP), presented CEEP's study of chronic absenteeism, which was defined as missing more than 10% of a school year for any reason, excused or unexcused. High levels of chronic absenteeism were found to have a negative impact on both graduation rates and ISTEP passage rates.

John O'Neal, Indiana State Teachers Association (ISTA), and Frank Bush, Indiana School Boards Association (ISBA), also provided comments on absenteeism, with both expressing concerns about having state-wide definitions of excused and unexcused absence.

### **Performance Qualified School Districts**

At the August 28, 2013, meeting, Representative Huston, House sponsor of SEA 189-2013, explained that the bill was designed to provide flexibility to school corporations that perform at high levels of accountability.

Brian Smith, Superintendent, Hamilton Southeastern School Corporation, says his corporation is happy with the additional flexibility provided under the new law. However, he would ask additional flexibility in the use of dual credit courses, as well as AP courses, to satisfy the requirements for an academic honors diploma. He believes there is a false impression that dual credit courses are not as rigorous as AP courses. In addition, he would like to see more flexibility in school day length to accommodate individual students who take several dual credit courses, and pilot programs to explore flexibility options for middle and elementary schools.

John O'Neal, ISTA, raised concerns about the lack of guidance to the State Board of Education in conducting the flexibility waiver process for schools that are not high performing, the lack of clarity as to how schools will monitor educational activities that take place outside the classroom, and the need for calendar flexibility for low performing schools. Frank Bush, ISBA, reiterated his association's support for the flexibility bill, and said that under the 2012 ISTEP assessments, twelve school corporations would qualify as high performing school districts. Janice Malchow, Learning Forward Indiana, discussed the importance of professional learning for teachers in improving schools and student outcomes.

### **Concussion Awareness and Sudden Cardiac Arrest Recognition for Student Athletes**

At the September 13, 2013, meeting, the Commission heard from Senator Travis Holdman regarding coaching education standards for football coaches concerning concussions. He stated that USA Football has developed a coach training program under which, for five dollars, a youth football coach can become certified concerning concussions.

Several witnesses, including Scott Hallenbeck, USA Football, Dick Dullaghan, coach, and Roosevelt Colvin, a retired professional football player and current youth coach, emphasized the need to train coaches so that children who are learning to play football can play safely and learn proper techniques from coaches who are better prepared to teach. In addition, Bobby Cox, Indiana High School Athletic Association, John Goodman, Indiana Football Coaches Association, Jim Keszei, a Fort Wayne Police Athletic League Youth Football coach, John Zarich, Insurance Institute of Indiana, Brad Gerig, Indiana Athletic Trainers Association, and Michael Duerson, Dave Duerson Athletic Safety Fund, Inc., spoke in support of legislation that would require concussion awareness training for coaches.

Jolene Bracale, Student Health Coordinator, DoE, explained the current statute concerning youth concussion training and management, and suggested amendments to the statute.

Representative Ron Bacon presented information concerning training in sudden cardiac arrest awareness for schools. Darren Sudman, Simon's Fund, whose son died from sudden cardiac arrest, and Doug Meyer, President, Giving Hearts a Hand, spoke in favor of legislation mandating training in sudden cardiac arrest awareness for schools.

### **Teacher Preparation**

At the September 13, 2013, meeting, several witnesses spoke in favor of collecting the teacher preparation program data to evaluate the quality of the programs required under SEA 409-2013. Witnesses speaking in favor of the increased data collection included Caitlin Hannon, TeachPlus and member, Indianapolis Public Schools Board of Commissioners; Marg Mast, Campus College Chair, College of Education, University of Phoenix; and Rae Shih, StudentsFirst. Several witnesses raised concerns about the additional data collection requirements; in particular, they pointed out the difficulty of tracking graduates to determine their job performance. These witnesses included Maryann Santos de Barona, Dean, College of Education, Purdue University; Gerardo Gonzalez, Dean, Indiana University College of Education; John Jacobsen, Dean, Ball State Teachers College; and Jill Shedd, Executive Secretary, Indiana Association of Colleges for Teacher Education. John O'Neal, ISTA, spoke concerning what is necessary to recruit and retain top candidates for teaching, including an increased focus in preparing teachers for the classroom and instruction, and greater reciprocity with other states. Risa Regnier, Assistant Superintendent, School Support Services, DoE, explained the work DoE has been doing to begin compliance with SEA 409-2013.



### **Nonpublic School Scholarships**

At the October 8, 2013, meeting, the Commission reviewed the Choice Scholarship Program. John Elcessor, Executive Director of the Indiana Non-public Education Association, provided a PowerPoint presentation comparing the performance of schools that accept Choice Scholarship students with public schools. Several members of the Commission expressed concern that the performance data and graduation rates for students receiving school vouchers were not included in the information received during the meeting, as only school-wide performance data and graduation rates were included. Witnesses speaking in favor of the Choice Scholarship included Chuck Weizenbach, principal of Roncalli High School; Andrew Hart, principal of the Oaks Academy, Fall Creek; Scott Grass, superintendent of Faith Christian School in Lafayette; John Schultz, principal of Trinity Lutheran School in Crown Point; Paul McMahon; Terry Buhler; Dawn Worthy; Drew Catt, Friedman Foundation for Educational Choice; and Joshua Schlake, Manager of Policy and Data for Governor Pence's Center for Education and Career Development. John O'Neal, ISTA and Joel Hand, Indiana Coalition for Public Education, spoke in opposition to the program.

### **Final Report**

The Commission took action on the final report while a quorum was present. After considerable discussion by the Commission, the vote for the final report was 11 in favor and 4 opposed; however, the report was not adopted, as 13 votes in favor were necessary for passage pursuant to IC 2-5-38.1-5 which requires the majority of voting members of the Commission to approve a final report.

Meeting minutes for the Commission can be accessed from the General Assembly Homepage at <http://www.in.gov/legislative/>.